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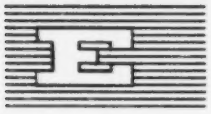
ECONOMIC AND SOCIAL COUNCIL



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COMMISSION ON NARCOTIC DRUGS
Thirty-eighth session
Vienna, 14-23 March 1995
Item 2 of the provisional agenda

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS

Provisional agenda

1. Election of officers.

2. Adoption of the agenda and other organizational matters.

3. General debate and policy directives, with particular regard to the economic and social consequences of drug abuse and illicit trafficking.

4. Reduction of illicit demand for drugs:

   (a) Basic principles of demand reduction;

   (b) Prevention strategies including community participation;

   (c) Integrated drug strategies: Interrelationship between law enforcement and demand reduction.

5. Illicit drug traffic and supply, including reports from subsidiary bodies and evaluation of their activities.

6. Implementation of the international drug control treaties:

   (a) Changes in the scope of control of substances;

   (b) International Narcotics Control Board;

   (c) Other matters arising under the international drug control conventions.

7. Monitoring of the implementation of the Global Programme of Action and the United Nations System-Wide Action Plan on Drug Abuse Control.

8. Administrative and budgetary matters.

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9. Follow-up to the results of the high-level plenary meetings at the forty-eighth session of the General Assembly to examine the status of international cooperation against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances.

10. Provisional agenda for the thirty-ninth session of the Commission and future work.

11. Other matters.

12. Adoption of the report of the Commission at its thirty-eighth session.

Annotations

Item 1

Elections are held in accordance with rule 15 of the rules of procedure of the functional commissions of the Economic and Social Council.[1]

Beginning with its eleventh special session in 1990, the Commission has elected a Chairman, three Vice-Chairmen and a Rapporteur. In view of the rotation of offices based on regional distribution, the officers at the thirty-eighth session will be as follows: Chairman - eastern Europe; first Vice-Chairman - western Europe and others; second Vice-Chairman - Latin America and the Caribbean; third Vice-Chairman - Africa; Rapporteur - Asia and the Pacific.

Item 2

The provisional agenda for the thirty-eighth session was proposed by the Commission at its thirty-seventh session and approved by the Economic and Social Council by decision 1994/231 of 20 July 1994.

Following the adoption of the agenda, the Commission normally establishes its timetable for the session. A provisional timetable for consideration by the Commission is contained in the annex to the present document.

Documentation

Annotated provisional agenda (E/CN.7/1995/1)

Item 3

Beginning at its thirty-fifth session, the Commission has striven to refine the procedure to be followed in the general debate. At its thirty-seventh session, there was consensus that the general debate could be further improved by increasing its relevance to policy formulation. To focus the debate, it was agreed that statements should concentrate on core issues that would further that objective. In that connection, the report of the Executive Director on UNDCP activities (E/CN.7/1995/2) may prove useful as a framework for policy guidance by the Commission.

The Commission was also of the opinion that because of time constraints, information about national activities might more usefully be circulated in written form. Such activities might also be discussed under agenda item 7 when the Commission considers the Global Programme of Action.

In response to a recommendation by the General Assembly (resolution 48/112 of 20 December 1993) that the Commission should consider including the issue of the economic and social consequences of drug abuse and illicit trafficking as an item on its agenda, the Commission decided to address the issue under the item covering general debate and requested the Secretariat to prepare a background document on the subject (E/CN.7/1995/3). In addition, as requested by the General Assembly in its resolution 49/168 of 23 December 1994, the Commission will also have before it, as background documentation, the reports of the Executive Director entitled "The social and economic impact of drug abuse and control" and "Drugs and development", which were submitted to the Preparatory Committee of the World Summit for Social Development in an addendum to a note by the Secretary-General on contributions of organs, organizations and programmes of the United Nations system (A/CONF.166/PC/20/Add.2).

The Commission has decided that statements in the general debate should, in principle, be limited to 10 minutes. A list of speakers for the general debate has been opened by the Secretariat.

Documentation

Report of the Executive Director on the activities of the Programme (E/CN.7/1995/2)

Note by the Secretariat on the economic and social consequences of drug abuse and illicit trafficking (E/CN.7/1995/3)

Addendum to the note by the Secretary-General on contributions of organs, organizations and programmes of the United Nations system (A/CONF.166/PC/20/Add.2)

Item 4

(a) Basic principles of demand reduction

(b) Prevention strategies including community participation

(c) Integrated drug strategies: Interrelationship between law enforcement and demand reduction

At its thirty-seventh session, the Commission decided to consider matters relating to demand reduction under a separate agenda item and requested the Secretariat to prepare background documents which would facilitate its examination of specific topics, including prevention measures, action to increase awareness of the problem, and the relationship between penal measures and demand reduction activities. In order to better structure its debate, the Commission decided to subdivide the item into the following three sections, each section introduced by ad hoc documentation: basic principles of demand reduction (E/CN.7/1995/4); prevention strategies, with particular emphasis on the impact of community participation (E/CN.7/1995/5); and the interrelationship between law enforcement and demand reduction (E/CN.7/1995/6).

The document relating to the issue of community participation in demand reduction activities contains a general overview of the global drug abuse situation as a background framework for the consideration of that topic.

It is suggested that the issue of the basic principles of demand reduction should first be examined in the Committee of the Whole before the agenda item is taken up in plenary.

Documentation

Note by the Secretariat on basic principles of demand reduction (E/CN.7/1995/4)

Report of the Secretariat on the world situation with respect to drug abuse (E/CN.7/1995/5)

Report of the Secretariat on alternatives to conviction or punishment* (E/CN.7/1995/6)

Item 5

During the discussion of the reports of its subsidiary bodies at its thirty-seventh session, the Commission agreed that a specific item on illicit drug traffic and supply should be included on the agenda for its thirty-eighth session. The Commission also decided to review and evaluate the functioning of those subsidiary bodies. To facilitate that evaluation, the Secretariat has prepared a special report at the request of the Commission (E/CN.7/1995/10).

With regard to its examination of the item, in addition to a general background report on illicit drug trafficking (E/CN.7/1995/7) the Commission also invited the Secretariat to prepare a note on possible strategies for illicit supply reduction. That note is before the Commission (E/CN.7/1995/8).

The individual reports of the subsidiary bodies of the Commission include a detailed review of the illicit drug traffic situation in their respective regions. Those reports are available as background documentation in the languages of each meeting. A synopsis of regional and subregional trends derived from those reports is before the Commission in document E/CN.7/1995/9, which also reflects the consideration by the subsidiary bodies of the issues raised in subparagraphs 10 (d), (f), (g) and (h) of General Assembly resolution 48/12. The latter will be taken up by the Commission under agenda item 9.

Documentation

Report of the Secretariat on illicit drug trafficking (E/CN.7/1995/7)

Note by the Secretariat on strategies for supply reduction (E/CN.7/1995/8)

Reports of subsidiary bodies (E/CN.7/1995/9)

Note by the Secretariat on the evaluation of the functioning of the subsidiary bodies of the Commission (E/CN.7/1995/10)

Item 6

(a) Changes in the scope of control of substances

Pursuant to the relevant provisions of the Convention on Psychotropic Substances of 1971, the Commission will be called upon to decide whether the following substances should be brought under international control by inclusion in one of the schedules annexed to that Convention: aminorex in

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*As foreseen in article 36 of the Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol,[2] article 22 of the Convention on Psychotropic Substances of 1971[3] and article 3 of the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.[4]

Schedule IV; brotizolam in Schedule IV; etryptamine in Schedule I; mesocarb in Schedule IV; methcathinone in Schedule I; and zipeprol in Schedule II. The Commission should also decide whether flunitrazepam, a substance currently listed in Schedule IV of the 1971 Convention, should be transferred to Schedule III. The notifications from the Government of the United States of America concerning methcathinone and from the Director-General of the World Health Organization concerning all of the above-mentioned substances are annexed to the report of the Executive Director on changes in the scope of control of substances (E/CN.7/1995/11), which contains a detailed explanation of relevant treaty provisions and the voting procedure to be followed by the Commission.

(b) International Narcotics Control Board

The annual report of the International Narcotics Control Board for 1994 (E/INCB/1994/1) is submitted to the Economic and Social Council through the Commission, in accordance with the provisions of the international drug control treaties. The Commission may make such comments on the report as it sees fit. In addition, article 8 of the 1961 Convention, article 17 of the 1971 Convention, and article 21 of the 1988 Convention authorize the Commission to call the attention of the Board to any matters that may be relevant to the functions of the Board.

Article 12, paragraph 13, of the 1988 Convention, requires the Board to report annually to the Commission on the implementation of that article. It is suggested that the separate report of INCB on the implementation of article 12 (E/INCB/1994/4) should be considered at the same time as the main report. That would be in line with recent Commission practice, and is reflected in the provisional timetable below.

(c) Other matters arising under the international drug control conventions

When considering its future work at its thirty-seventh session, the Commission was of the opinion that, in general, documentation should be more action-oriented and address concrete issues. In that connection, the Commission felt it would be useful for the Secretariat to prepare a note on the adequacy of existing national drug control legislation for consideration under item 6 of its provisional agenda for its thirty-eighth session. The report in document E/CN.7/1995/12 responds to that request.

In its resolution 3 (XXXVI) of 7 April 1993, the Commission decided to convene an expert group to examine the possible mandate, activities and funding of a working group on maritime cooperation against illicit drug trafficking. In the same resolution, the Commission had decided, in principle, to establish such a working group under the auspices of UNDCP as soon as possible after its thirty-seventh session. At that session, in its resolution 9 (XXXVII) of 27 April 1994, the Commission requested the Executive Director of UNDCP to establish and convene a working group on maritime cooperation with the mandate to develop a comprehensive set of principles and specific recommendations to enhance the implementation of article 17 of the 1988 Convention.

The working group began to deal with its task at a first meeting held at Vienna from 19 to 23 September 1994, and was scheduled to reconvene for a second meeting from 20 to 24 February 1995. The report of the working group will be before the Commission in document E/CN.7/1995/13.

Documentation

Report of the Executive Director on changes in the scope of control of substances (E/CN.7/1995/11)

Report of the International Narcotics Control Board for 1994 (E/INCB/1994/1)

Report of the International Narcotics Control Board on article 12 of the 1988 Convention (E/INCB/1994/4)

Note by the Secretariat on the adequacy of national legislation (E/CN.7/1995/12)

Report of the working group on maritime cooperation (E/CN.7/1995/13)

Item 7

Global Programme of Action

The Global Programme of Action was adopted by the General Assembly on 23 February 1990 at its seventeenth special session (see resolution S-17/2, annex). The Secretary-General reports annually to the Assembly on its implementation, and his latest report (A/49/345) is available to the Commission to assist it in monitoring implementation. The Commission has the responsibility for such monitoring by virtue of a mandate given to it by the Economic and Social Council in its resolution 1991/38 of 21 June 1991.

At its thirty-seventh session, the Commission approved a questionnaire to be sent to governments in February of each year. The questionnaire would serve as the basis for the preparation by the Secretariat of the report of the Secretary-General for the next General Assembly session. That report would then be available to the Commission at its session following the Assembly, together with any comments from the Assembly.

The report before the Commission at its thirty-eighth session is the last before the implementation of the new system, and is based on data available to the Secretariat up to July 1994. The report before the thirty-ninth session of the Commission will be structured along the following lines, as stipulated in Commission resolution 4 (XXXVII) of 20 April 1994: an introductory section containing an evaluation of progress; a summary of government activities, which will be based on replies to the questionnaire referred to above; and an identification of areas requiring greater attention by States.

United Nations System-Wide Action Plan on Drug Abuse Control

In its resolution 1991/38, the Economic and Social Council entrusted the Commission with, inter alia, a new mandate to review the development and implementation of the United Nations System-Wide Action Plan on Drug Abuse Control (SWAP). In its resolution 44/141 of 15 December 1989, the General Assembly had decided that the Administrative Committee on Coordination (ACC) should prepare such an action plan leading to specific activities to enhance the effectiveness of the United Nations system in the field of drug abuse control. SWAP was subsequently drawn up and, following the approval of the Global Programme of Action, has come to be perceived not only as the necessary tool for coordination of system-wide activities, but also as the framework for action by the secretariats of the organizations in the United Nations system to complement the efforts of Governments called for in the Global Programme of Action.

ACC has been requested by the General Assembly to update SWAP on a biennial basis, and the last such update was submitted to the Council and the Assembly in 1994 (A/49/139). The review of the development of SWAP is therefore before the Commission in even years. On the other hand, the review of the implementation of SWAP is undertaken on a yearly basis by the Commission which may comment thereon in its report to the Council.

To assist the Commission in carrying out that task, a document has been prepared by the Secretariat giving a synopsis of coordination and substantive activities directed at international drug abuse control in the United Nations system (E/CN.7/1995/15).

At its thirty-seventh session, the Commission adopted resolution 6 (XXXVII) of 20 April 1994, in which, inter alia, it requested the Executive Director to analyse further ways and means of strengthening SWAP and to report thereon to the thirty-eighth session. That issue will be reported on separately by the Executive Director.

Documentation

Report of the Secretary-General on the Global Programme of Action (A/49/345)

Report of the Secretariat on the System-Wide Action Plan and coordination of drug control activities in the United Nations system (E/CN.7/1995/15)

Item 8

In its resolution 13 (XXXVI) of 7 April 1993, the Commission established a budget cycle for the Fund of UNDCP and a methodology that it wished to follow in its consideration of budgetary matters. The Commission is thus called upon to approve the budget of the Fund of UNDCP for the future biennium and the preliminary revised budget for the preceding biennium at a reconvened session in December of odd years.

At its session held in March/April of such years (for example, the thirty-eighth session), the Commission should review and approve the revised programme budget for the current biennium (in the present case, 1994-1995) and the proposed outline for the next biennium (that is, 1996-1997).

At its thirty-eighth session, the Commission will have before it the proposed revised programme budget for the biennium 1994-1995 and the proposed outline for the biennium 1996-1997 for the Fund of the United Nations International Drug Control Programme (E/CN.7/1995/17), a compendium of ongoing projects (E/CN.7/1995/CRP.1) and the report of the Board of Auditors concerning the financial report and audited financial statements for the biennium ended 31 December 1993 (A/49/5/Add.9).

At its reconvened thirty-eighth session, scheduled to take place on 12 and 13 December 1995, the Commission will have before it the initial programme budget for the biennium 1996-1997 and the second and final revision of the programme budget for the biennium 1994-1995.

The Commission is expected to review and approve the proposed revised budget for the biennium 1994-1995 and the proposed outline for the biennium 1996-1997.

Documentation

Report of the Executive Director on the proposed revised programme budget for the biennium 1994-1995 and the proposed outline for the biennium 1996-1997 for the Fund of the United Nations International Drug Control Programme (E/CN.7/1995/17)

Compendium of ongoing projects (E/CN.7/1995/CRP.1)

Financial report and audited financial statements for the biennium ended 31 December 1993 (A/49/5/Add.9)

Item 9

At the high-level plenary meetings at its forty-eighth session, the General Assembly adopted resolution 48/12 on measures to strengthen international cooperation in drug abuse control. In paragraph 9 of that resolution, the General Assembly requested the Commission, with the support of UNDCP and in cooperation with the Board, to monitor and evaluate action taken to implement the international drug control instruments, with a view to identifying areas of satisfactory progress and weakness, and to recommend to the high-level segment of the Economic and Social Council in 1995 appropriate adjustments of drug control activities whenever required. The Assembly also requested the Commission and the Council to consider and make recommendations on specific drug control issues listed in paragraph 10 of the resolution.

After discussing the request contained in paragraphs 9 and 10 of the resolution at its thirty-seventh session, the Commission adopted resolution 3 (XXXVII), formulating the methodology it wished to follow in responding to the request. In that connection, it decided to examine paragraph 9 and paragraphs 10 (a), (b), (c), (e), (i) and (j) on the basis of an assessment by the Executive Director, in cooperation with the Board and with the support of an ad hoc intergovernmental advisory group. It further decided that paragraphs 10 (d), (f), (g) and (h) would be examined on the basis of a report by the Executive Director in the light of the work of its subsidiary bodies and the conclusions and recommendations of the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 24 to 26 October 1994, the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in 1995, and other relevant international conferences.

The Executive Director convened the ad hoc advisory group twice at Vienna, from 29 August to 2 September 1994 and from 14 to 18 November 1994. On the basis of the discussions of the advisory group, the Executive Director has prepared an assessment which is now before the Commission (E/CN.7/1995/14). The report of the Executive Director also reflects the deliberations of the subsidiary bodies, the results of the World Ministerial Conference on Organized Transnational Crime, the International Conference on Preventing and Controlling Money-Laundering and the Use of the Proceeds of Crime: A Global Approach, held at Courmayeur, Italy, from 18 to 20 June 1994, as well as the Declaration of Principles and Plan of Action adopted at the Summit of the Americas, held at Miami, Florida, United States of America, on 11 December 1994. It should be noted that the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders is now scheduled to take place only after the thirty-eighth session of the Commission.

In addition to the report of the Executive Director, the Commission may also wish to refer to the following supplementary or background documents when considering this agenda item: the special supplement to the report of the Board (E/INCB/1994/1/Supp.1) on the effectiveness of the international drug control conventions, the report of the World Ministerial Conference on Organized Transnational Crime (A/49/748), the report of the ad hoc advisory group to the Executive Director (UNDCP/1994/AG.7), and section III of the document dealing with reports of the subsidiary bodies (E/CN.7/1995/9).

Documentation

Report of the Executive Director on the implementation of General Assembly resolution 48/12 (E/CN.7/1995/14)

Item 10

Under this item of its agenda the Commission is invited to draw up the provisional agenda and list of documents for its thirty-ninth session, and to consider other organizational questions relating to its future work.

One such question arises as a result of a special evaluation of Commission documentation carried out for UNDCP by a consultant with broad experience in the field of conference services with the United Nations and other organizations of the United Nations system. Some of the recommendations in the report of the consultant were directed to the Commission, and they are accordingly brought to the attention of the Commission in section IV of document E/CN.7/1995/16.

In establishing its documentation requirements for its thirty-ninth session, the Commission is requested to indicate as specifically as possible the contents and, if applicable, the format of each document. That will assist the Secretariat in tailoring documentation to the exact needs of the Commission.

Documentation

Note by the Secretariat (E/CN.7/1995/16)

Item 11

No documentation is currently foreseen under this item.

Item 12

It is expected that the Commission will adopt the report of its thirty-eighth session on the afternoon of the last day of its session.

Notes

[1]United Nations publication, Sales No. E.83.I.10.

[2]United Nations Treaty Series, vol. 976, No. 14152.

[3]Ibid., vol. 1019, No. 14956.

[4]E/CONF.82/15 and Corr.2.

Annex

PROPOSED ORGANIZATION OF WORK

A. Committee of the Whole

In its resolution 1991/39 of 21 June 1991, the Council decided, inter alia, that the Commission would establish a Committee, the membership of which should be open to all States members of the Commission, to perform such functions as requested by the Commission in order to assist it in dealing with its agenda and to facilitate its work.

In connection with the thirty-eighth session of the Commission, it is suggested that the Committee of the Whole might be entrusted with preliminary examination of: (a) the functioning of the subsidiary bodies (item 5); (b) the basic principles of demand reduction (item 4(a)); (c) strategies for supply reduction (item 5); and (d) the report of the working group on maritime cooperation in connection with article 17 of the 1988 Convention (item 6(c)). In addition, the Commission has decided that draft resolutions should first be considered in the Committee of the Whole before being brought to the plenary.

The Committee of the Whole is scheduled to meet on Thursday and Friday, 16 and 17 March 1995, to consider the substantive matters (a)-(d) referred to above, and on Monday and Tuesday, 20 and 21 March 1995, to review draft resolutions.

B. Timetable

The following timetable, which is subject to approval by the Commission, was drawn up by the Secretariat following consultations with permanent missions accredited to the United Nations Office at Vienna. As soon as discussion on an item or sub-item has been finished, the following one will be taken up, time permitting. Suggested meeting times are from 9.30 a.m. to 12.30 p.m. and from 2.30 p.m. to 5.30 p.m. The morning meeting on the first day has been set at 10 a.m.

Provisional timetable

Plenary			Committee of the Whole
Tuesday, 14 March			
1109th meeting, 10 a.m.-12.30 p.m.	Item 1	Election of officers	-
	Item 2	Adoption of the agenda and other organizational matters	
	Item 3	Introductory statement by the Executive Director on activities of UNDCP	
	Item 3	General debate and policy directives	
1110th meeting, 2.30 p.m.-5.30 p.m.	Item 3	General debate and policy directives (continued)	-
Wednesday, 15 March			
1111th meeting, 9.30 a.m.-12.30 p.m.	Item 3	General debate and policy directives (continued)	-
1112th meeting, 2.30 p.m.-5.30 p.m.	Item 3	General debate and policy directives (continued)	-
Thursday, 16 March			
1113th meeting, 9.30 a.m.-12.30 p.m.	Items 5 and 9	Follow-up to General Assembly resolution 48/12	Strategies for supply reduction
1114th meeting, 2.30 p.m.-5.30 p.m.	Items 4(a) and 9	Follow-up to General Assembly resolution 48/12 (continued)	Basic principles of demand reduction
Friday, 17 March			
1115th meeting, 9.30 a.m.-12.30 p.m.	Items 6(b) and (c)	Report of INCB for 1994	Report of the working group on maritime cooperation
	Item 6(c)	Report on article 12 of the 1988 Convention	

1116th meeting, 2.30 p.m.-5.30 p.m.	Items 5 and 6(b)	Report of INCB for 1994 (continued)	Functioning of the subsidiary bodies
	Item 6(c)	Report on article 12 of the 1988 Convention (continued)	
Monday, 20 March			
1117th meeting, 9.30 a.m.-12.30 p.m.	Item 4(a)	Reduction of illicit demand for drugs (including report from the Committee of the Whole on the basic principles of demand reduction)	Consideration of draft resolutions
1118th meeting, 2.30 p.m.-5.30 p.m.	Items 4(b) and (c)	Reduction of illicit demand for drugs (continued) (prevention strategies and the interrelationship between law enforcement and demand reduction)	Consideration of draft resolutions
Tuesday, 21 March			
1119th meeting, 9.30 a.m.-12.30 p.m.	Item 5	Illicit drug traffic and supply, including reports from subsidiary bodies and evaluation of their activities	Consideration of draft resolutions
1120th meeting, 2.30 p.m.-5.30 p.m.	Item 7	Monitoring of the Global Programme of Action and the United Nations System-Wide Action Plan on Drug Abuse Control	Consideration of draft resolutions
Wednesday, 22 March			
1121st meeting, 9.30 a.m.-12.30 p.m.		Treaty implementation matters:	-
	Item 6(a)	Changes in the scope of control of substances (voting on scheduling)	
	Item 6(c)	Adequacy of national legislation	

1122nd meeting, 2.30 p.m.-5.30 p.m.	Item 8	Administrative and budgetary matters	-
	Item 10	Provisional agenda of the thirty-ninth session	
	Item 11	Other matters	
Thursday, 23 March			
1123rd meeting, 9.30 a.m.-12.30 p.m.	Item 12	Adoption of draft resolutions and decisions	-
1124th meeting, 2.30 p.m.-5.30 p.m.	Item 12	Adoption of the report of the Commission	-